IN RE: PETITIONS FOR SPECIAL HEARING &

SPECIAL EXCEPTION E/S Pot Spring

Road, 130 ft. NE c/l Loch Raven

Road; W/S Dulaney Valley Road

2300 Dulaney Valley Road 4th Councilmanic District

Legal Owner: Cardinal Shehan

Center, Inc.,

Lessee: Bell Atlantic NYNEX Mobile

Petitioners

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

Case No. 97-271-SPHX

\* \* \* \* \* \* \* \* \* \*

# FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as a single Petition for Special Hearing and Special Exception for the property located at 2300 Dulaney Valley Road in northern Baltimore County. The Petition is filed by Cardinal Shehan Center, Inc., property owner and Bell Atlantic NYNEX Mobile, Lessee. Relief is requested to approve a wireless transmitting and receiving facility on the subject site, pursuant to Sections 1A03.3.B.14 and 502 of the Baltimore County Zoning Regulations (BCZR); and to amend the site plan previously approved in case No. 96-84-X. The subject property and requested relief are more particularly shown on Petitioners' Exhibit No. 1, the plat to accompany the Petitions for Special Hearing and Special Exception.

Appearing at the requisite public hearing held for this case was Maurice Thompson, II and Kent Lutz on behalf of Bell Atlantic Nynex Mobile, co-Petitioners. Also present was Tim Madden, the engineer who prepared the site plan. The Petitioners were represented by Robert A. Hoffman, Esquire and Timmy Ruppersberger, Esquire, of Venable, Baetjer and Howard, LLP. There were no Protestants or other interested persons present.

The subject property is a large site, approximately 104.47 acres. The property is divided into several parcels; the subject lot being known as parcel No. 6 and is zoned R.C.4. The property is located near the Loch

Markey of the markey

Raven Reservoir and adjacent to Dulaney Valley Road in north central Baltimore County.

The premises are well known to the Zoning Commissioner and are used to house a hospice and related facilities. The continued use of the property in this fashion will not be affected by the subject Petition, which seeks only approval to lease a small portion of a six story building which is located on the site. Specifically, the property owner has entered into a lease with Bell Atlantic Nynex Mobile to allow that company to place its wireless transmitting and receiving antennas and related equipment atop the building. I am familiar with the business of Bell Atlantic Nynex Mobile and similar companies by virtue of numerous Petitions for Special Exception which have been filed in the recent years. These companies, including Bell Atlantic Nynex Mobile, are establishing a network of antenna sites in Baltimore County and the Baltimore Metropolitan area. The business of Bell Atlantic Nynex Mobile is to provide a mobile communication network, by which its customers may use mobile phones, fax and similar technology.

Testimony and evidence presented in this case was that Bell Atlantic's network in this vicinity contained a coverage hole and that an additional wireless transmitting and receiving facility was necessary. A search of the vicinity was undertaken and it was determined that the most appropriate location was the subject site. The Petitioners' Exhibits Nos. 3 and 5 depict existing and future conditions following the installation of the antennas on this site. These exhibits clearly show that additional coverage is warranted and this communication gap will be filled by utilization of the subject property.

The Petitioners propose construction of 9 antennas atop the building.

Also, a small unmanned structure containing the necessary hardware will be placed on the roof. The proposed facility will be unmanned and produce low

- 2-

COST RECEIVED TO THE SECOND TO

levels of electric energy. An environmental impact statement submitted (Petitioners' Exhibit No. 2) concludes that the proposed use will not be detrimental to the health, safety or general welfare of the locale.

It is also to be noted that the subject property is already used for similar purposes. In case No. 96-84-X, a Petition for Special Exception was approved permitting the installation of antennas on the roof of this building by APC/Sprint, a competing mobile communication provider. Clearly, the relief granted in the instant case is entirely consistent with the Order issued in that manner.

Based upon the testimony and evidence presented, I am persuaded to grant the Petitions for Special Exception and Special Hearing. This is an entirely appropriate location for the installation of the proposed antennas and is entirely more appropriate than any other sites in the vicinity. The antennas will be of little impact to the subject property and surrounding locale.

Finally it is to be noted that certain of the requirements contained in Section 502.7.C are not applicable here. Specifically, Section 502.7.C.4 & 5 requires a chain link fence around the facility and the submission of a landscape plan. Obviously, neither of these considerations are warranted here, in that the proposed use will be roof mounted.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the relief requested should be granted.

ty this 20 day of February, 1997 that, pursuant to the Petitions for Special Hearing and Special Exception, approval for a wireless transmitting and receiving facility on the subject site, pursuant to Sections 1A03.3.B.14 and 502 of the Baltimore County Zoning Regulations (BCZR); and

to amend the site plan previously approved in case No. 96-84-X, be and is hereby GRANTED, subject, however, to the following restriction:

1. The Petitioners are hereby made aware that proceeding at this time is at its own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original

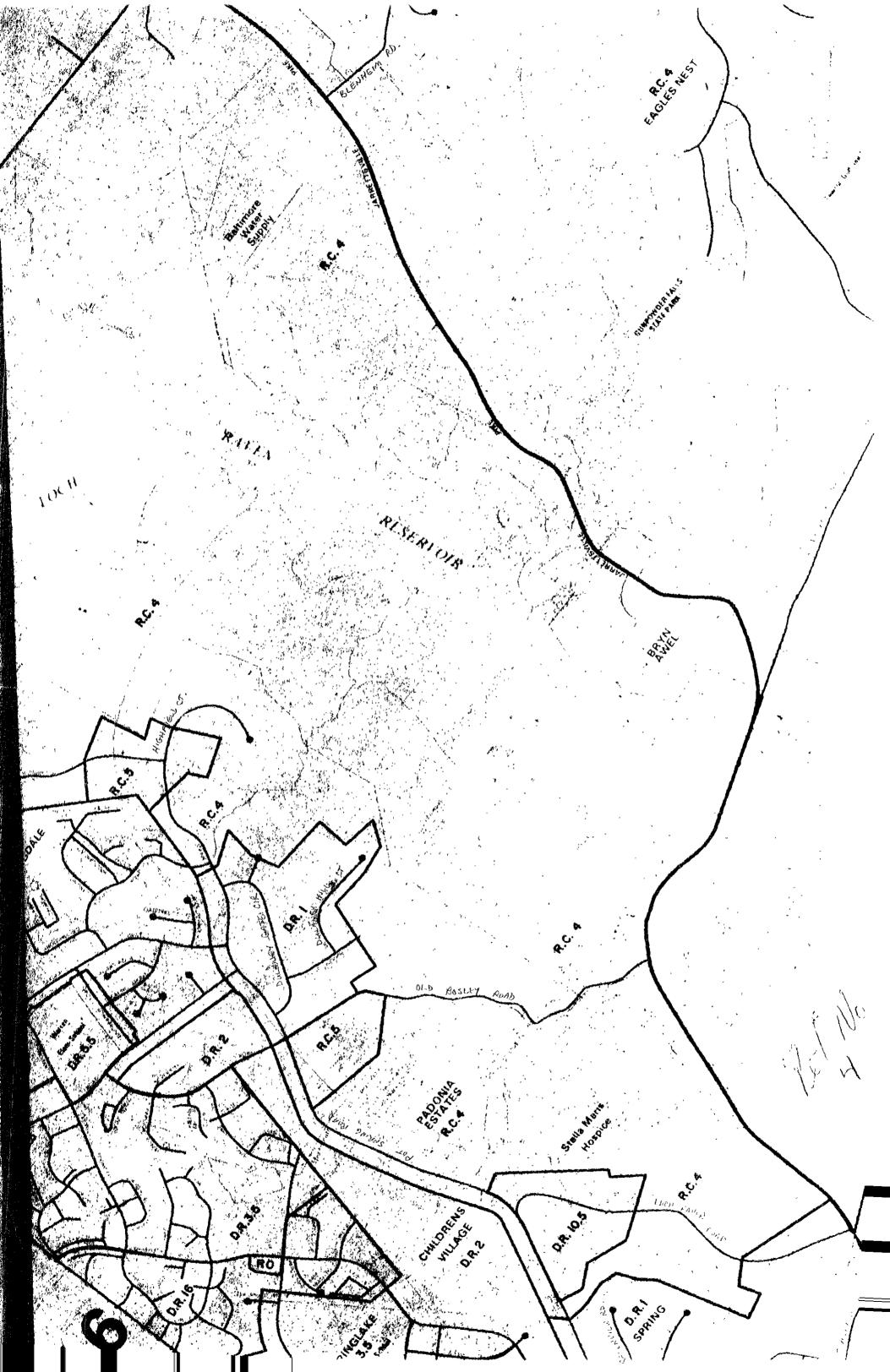
condition.

LAWRENCE E. SCHMIDT

Zoning Commissioner for

Baltimore County

LES: mmr



# MORRIS & RITCHIE ASSOCIATES, INC.

ENGINEERS, PLANNERS, SURVEYORS, AND LANDSCAPE ARCHITECTS



# ZONING DESCRIPTION

97-271-5PHX

BEGINNING for the same at a point distant North 67° 36' 43" East 367.10 feet from a point on the east side of Pot Spring Road, 60 feet wide, which is located 130 feet, more or less, northeasterly from the intersection of the east side of Pot Spring Road with the centerline of Loch Raven Road, thence the following courses and distances:

North 67° 36' 43" East 1207.12 feet, South 12° 21' 44" East 425.11 feet, North 40° 21' 14" East 588.33 feet, South 50° 02' 45" East 188.32 feet, North 55° 50' 38" East 580.03 feet, South 29° 32' 25" West 1910.71 feet, South 45° 22' 09" West 416.37 feet, North 41° 42' 23" West 448.40 feet, North 47° 08' 46" East 89.54 feet, and North 40° 42' 40" West 1136.68 feet to the place of beginning.

CONTAINING 40.0 acres of land, more or less.

BEING known as 2300 and 2310 Loch Raven Road and located in the Eighth Election District of Baltimore County, Maryland.

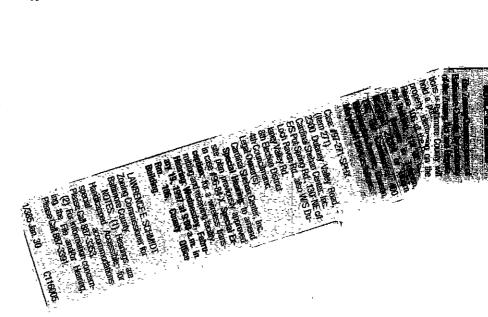
This description has been prepared for zoning purposes only and is based on a plat recorded in Plat Book 63, Folio 78.

Edward F. Kelly

Registered Property Line Surveyor No. 159



400z.des



# CERTIFICATE OF PUBLICATION

TOWSON, MD., Jan 30, 1997

in Towson, Baltimore County, Md., once in each of successive weeks, the first publication appearing on 30, 1997. published in THE JEFFERSONIAN, a weekly newspaper published THIS IS TO CERTIFY, that the annexed advertisement was

THE JEFFERSONIAN,

LEGAL AD. - TOWSON

Request for Zoning: Variable, Special Exception, or Special Hearing
Date to be Posted: Anytime before but no later than
Format for Sign Printing, Black Letters on White Background:
ZONING NOTICE
Case No.: 99-291-5PHX
A PUBLIC HEARING WILL BE HELD BY THE ZONING COMMISSIONER. IN TOWSON, MD
PLACE:
DATE AND TIME:
REQUEST: SPECIAL EXCEPTION FOR A WIRELESS TRANSHITTING 4 RECEIVING FACILITY. SPECIAL HEARING TO AMEND SITE PLAN
PREVIOUSLY APPROVED IN CASE NO.
96-84-x.
OSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY. TO CONFIRM HEARING CALL 887-3391.
DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW
HANDICAPPED ACCESSIBLE

9/96 post.4.doc

	OVER THE PARTY OF		FOR:	RECEIVED	DATE	BALI OFFIC ISC		
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RE: Case No.: 97-271 SPHX

Petitioner/Developer: CARDINAL SHEHAN CENTER, ETAL

C/O ROBERT HOFFMAN, ESG

Date of Hearing/Closing: 2/19/97

Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

and a surplement on the pro	operty located at #2300 DULANEY &	iylaw ALLEY RD.
were posted conspicuously on the pro-	CING ROAD ENTRANCES	
The sign(s) were posted on	//30/97 (Month Day, Year)	

97-271 SPHX POT SPRING ROAD ENTRANCE

Sincorely, afuck M.O.Koele 2/2/97

(Signature of Sign Poster and Date)

Patrick M. O'Keefe

(Printed Name)

523 Penny Lane

(Address)

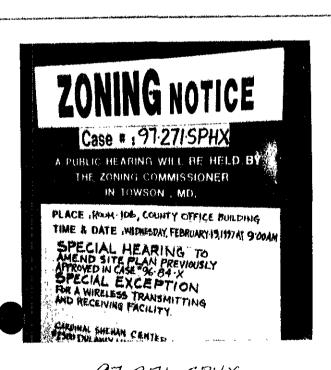
Hunt Valley, MD 21030

(City, State, Zip Code)

(Telephone Number)

	F03:		VED .	DATE 12/30/96	BALTIMORE COUNTY, MARYLAND FFICE OF FINANCE REVENUE DIVISION MISCELLANEOUS CASH RECEIPT IT
F CASHIER		#040 - SPECIAL HEARING #050 - SPECIAL EXCEPTION 2300 Dulaney Valley Road	AMOUNT \$ 550.00 (WCR)	ACCOUNT 001-6150	N DROP-OF
	\$550_00 /	MCRO.	MANEO		No. 028517 P-OFF NO REVIEW 1 CASE 97-271-SPHX

R	E: Case No.: 97-27/- SPHX
	Petitioner/Developer: CAKDINAL SHEHAN CONT, INC. ETAL
	CYO ROB HOFFMAN, ESO
Baltimore County Department of Permits and Development Management County Office Building, Room 111 111 West Chesapeake Avenue Towson, MD 21204	
Attention: Ms. Gwendolyn Stephens	
Ladies and Gentlemen:	
This letter is to certify under the penalties of perju	ry that the necessary sign(s) required by law
were posted conspicuously on the property locate  POAD & POT SPRING ED	dat #2300 DULANEY VALLEY  D, ENTRANCES - COKRECTED.
The sign(s) were posted on(N	1 /30 /97 10nth, Day, Year)
•	Sincerely,
	(Signature of Sign Poster and Date)
ZONING NOTICE	Patrick M. O'Keefe
and the second s	(Printed Name)
Case # 197-271-SPHX	523 Penny Lane
THE ZONING COMMISSIONER	(Address)
IN TOWSON , MD,	Hunt Valley, MD 21030
PLACE : ROUNT JOB, COUNTY OFFICE BUILDING TIME & DATE : WEDNESDAY, FEBRUARY 19,119747 9'20AM	(City, State, Zip Code)
SPECIAL HEARING TO AMEND SITE PLAN PREVIOUSLY APPROVED IN CASE 70: 84 X SPECIAL EXCEPTION	(410) 666-5366 Pager (410) 646-8354 (Telephone Number)



YO KOBIHONET-MANALIGNBAHT

TO: PUTUXENT PUBLISHING COMPANY

January 30, Issue - Jeffersonian

Please foward billing to:

Robert A. Hoffman, Esq. Venable, Baetjer and Howard, LLP 210 Alleghey Avenue Towson, MD 21204 494-6200

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-271-SPHX (Item 271)
2300 Dulaney Valley Road - Cardinal Shehan Center, Inc.
E/S Pot Spring Rd., 130' NE c/l Loch Raven Rd., also W/S Dulaney Valley Rd.
8th Election District - 4th Councilmanic
Legal Owner(s): Cardinal Shehan Center, Inc.

Special Hearing to amend site plan previously approved in case #96-84-X. Special Exceptio for a wireless transmitting and receiving faciltiy.

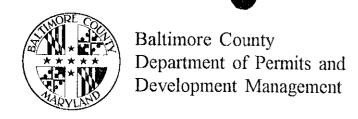
HEARING: WEDNESDAY, FEBRUARY 19, 1997 at 9:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

January 24, 1997

# NOTICE OF HEARING

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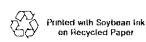
HEARING: WEDNESDAY, FEBRUARY 19, 1997 at 9:00 a.m. in Room 106, County Office Building.

Arnold Jablon Director

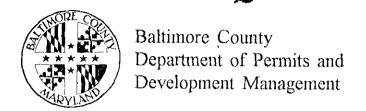
cc: Cardinal Shehan Center, Inc.
Bell Atlantic NYNEX Mobile
Robert A. Hoffman, Esq.

NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY FEB. 4, 1997.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



M103



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 18, 199/

Robert A. Hoffman, Esquire Venable, Baetjer and Howard, LLP 210 Allegheny Avenue Towson, MD 21204

> Item No.: 271 RF:

> > Case No.: 97-271-SPHX

Petitioner: Cardinal Shehan Center

Dear Mr. Hoffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on December 22, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

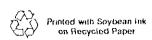
Sincerely,

D. Cont Riction of W. Carl Richards, Jr.

Zoning Supervisor

WCR/re Attachment(s)





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### BALTIMORE COUNTY, MARYLAND

# INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: February 10, 1997

Department of Permits & Development

Management

M.Robert W. Bowling, Chief

Nevelopment Plans Review Division

SUBJECT: Zoning Advisory Committee Meeting

for February 3, 1997

Ttem Nos. (271, 1289, 290, & 293

The Development Plans Review Division has reviewed the subject zoning item, and we have no comments.

RWB:HJO:jrb

cc: File

# BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

**DATE:** January 29, 1997

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos (271) 287, 289, 290, 293, and 294

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffrey W. Long

Division Chief: Cay L. Klus

PK/JL

# Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

January 27, 1997

Arnold Jablon, Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JAN. 27, 1997.

Item No.: SEE BELOW Zoning Agenda:

Gentlemen:

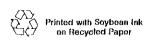
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS (271) 287, 288, 289, 290, 292, 293, 294, 295 AND 297.

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File



MONORMEN

# ITEM #271 2300 DULANEY VALLEY ROAD

17-271-SPHX

Petition was dropped off by Rob Hoffman on 12/22/96.

WCR called Rob on 1/7/97 and informed him that the petition needed to be corrected by 1/8/97 or he would miss the agenda. The corrections needed were:

Outline the special exception area on the 200 scale map.

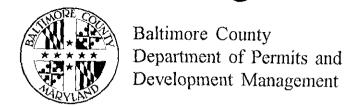
There is no point of beginning on the plat.

The described area should be 5 acres and located only in the R.C.-4 area.

On 1/9/97, SCJ called Rob and told him that if the corrections were not in the office by Friday, they would miss another week on the agenda.

On 1/10/97, SCJ again called Rob to remind him that the corrections needed to be in the office today or he would be held back another week. On 1/10/97, Barb came in to see SCJ and said that the engineer would have the plans by Monday. SCJ informed Barb that they would be held back another week if the plans were not here by today. Barb said that was okay. SCJ also informed Barb that there may be more revisions needed after the petition was reviewed by a planner once it is placed on the agenda.

Revised Hans + Descriptions Received on 1-14-97



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

97-271-6PHX

December 30, 1996

Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, MD 21204

RE: Drop-Off Petition (Item #271)

2300 Dulaney Valley Road

8th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. Once a detailed review has been completed by the staff, those comments will be forwarded to you (hopefully before the hearing).

As Baltimore County is no longer responsible for posting properties, I have enclosed the proper forms pertaining to this. There is a form indicating the posting standards required by Baltimore County, as well as a list of vendors serving the Baltimore County area. The sign must contain the wording indicated on the "Zoning Notice" form and the certificate of posting must be completed by the poster and returned to Gwendolyn Stephens.

If you have any questions regarding the sign posting, please do not hesitate to contact Gwendolyn Stephens at 887-3391.

Very truly yours,

W. Carl Richards, Jr. Zoning Supervisor

Zoning Supervis
Zoning Review

WCR:sci

**Enclosures** 

PETITION FOR SPECIAL HEARING RE: PETITION FOR SPECIAL EXCEPTION 2300 Dulaney Valley Road (Cardinal Shehan Center, Inc.), E/S Pot Spring Rd., 130' NE c/l Loch Raven Rd., also W/S Dulaney Valley Rd., 8th Election District, 4th Councilmanic

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

CASE NO. 97-271-SPHX

Legal Owner(s): Cardinal Shehan Center, Inc. Lessee: Bell Atlantic NYNEX Mobile

Petitioners

# ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

Rete Marcanorans

People's Counsel for Baltimore County

alles De nellie

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this A day of February, 1997, a copy of the foregoing Entry of Appearance was mailed to Robert A. Hoffman, Esq., Venable, Baetjer and Howard, 210 Allegheny Avenue, Towson, MD 21204, attorney for Petitioners.

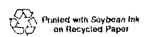
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# PLEASE PRINT CLEARLY

# PETITIONER(S) SIGN-IN SHEET

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210 Allegheny Avenue Post Office Box 5517 Towson, Maryland 21285-5517 (410) 494-6200, Fax (410) 821-0147 OFFICES IN

MARYLAND WASHINGTON,D C VIRGINIA

Writer's Direct Number: 410-494-6201



December 20, 1996

# **Hand Delivery**

Mr. Carl Richards
Department of Permits
and Development Management
County Courts Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Property Owner: Cardinal Shehan Center, Inc.

Petitioner: Bell Atlantic NYNEX Mobile Location: 2300 Dulaney Valley Road

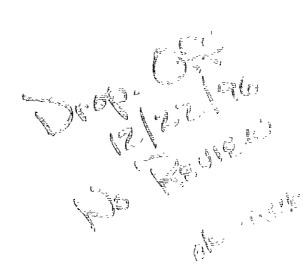
Petition for Special Exception and Special Hearing

Dear Mr. Bichards: Carl

Re:

I am hereby drop filing the enclosed Petition for Special Exception and Special Hearing with regard to the above captioned property. The petitioner proposes to use the site as a wireless transmitting and receiving facility. This request has not been previously reviewed by your office. Pursuant to Jim Thompson of Zoning Enforcement, this property is not in violation of any zoning laws. Enclosed are the following documents:

- 1. Petition for Special Exception and Special Hearing (3)
- 2. Zoning description (3)
- 3. 200' scale zoning map (1)
- 4. Site Plans (12)
- 5. Environmental Impact Statement (1)
- 6. Two checks totalling \$550.00.





Mr. Carl Richards December 20, 1996 Page 2

If you have any questions, please give me a call.

Sincerely,

Barbara W. Ormord Legal Assistant

bw

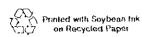
ce: Robert A. Hoffman, Esquire

TOIDOCS1/BAW01/0035783 01

MURHIS & HITCHIE ENGINEERS, PLANNER AND LANDSCAPE ARC	ASSUCIATES, INC. s, surveyors, hitect		F TRANSMITTA
139 N. MAIN ST., STE. 200 BEL AIR, MD 21014	110 WEST RD., STE 105 TOWSON, MD 21204		
(410) 879-1690 (410) 838-7580 FAX (410) 879-1820	(410) 821-1690 FAX (410) 821-1748	ATTENTION LAWY	ENCE SCHWARD
DVI CONYAL TOWER	My Zoniny Commission	- Loch Ravin	12/11.5PHX
WE ARE SENDING YOU ☐ Shop drawings ☐ Copy of letter	Prints $\square$ Pl	ria	1.1 Specific ations
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# PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
Rob Hoffman	210 Alleghenny Art. 2120+
MAURICE THOMPSON, IL	9000 JUNCTION DELVE ANNAPOUS
KENT LUTZ	9000 JUNCTION DRIVE SUNUTION 20201 9000 Juntion Drive Junetio MD 20901
Tim madden	MRA 110 West R1. Towson, M1.
Timmy Ruppers here	MRA 110 West RA. Towson, MA. 210 Allegheny Art
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	and property of the state of th





97-271-5PHX

# **ENVIRONMENTAL IMPACT STATEMENT**

FOR ITEM NO. 201

FOR THE PROPOSED ANTENNAS

AND EQUIPMENT SHELTER

LOCATED AT 2300 DULANEY VALLEY ROAD

**BALTIMORE COUNTY, MARYLAND** 



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Prepared for:

Bell Atlantic NYNEX Mobile 180 Washington Valley Road Bedminster, New Jersey 07921 Prepared by:

Morris & Ritchie Associates, Inc. 110 West Road, Suite 105 Towson, Maryland 21204

November 1996

MRA #10478



# Petition for Special Except

# to the Zoning Commissioner of Baltimore County

for the property located at 2300 Dulaney Valley Road

97-271-SPHX

which is presently zoned RC4

This Petition shall be filed with the Office of Zoning Administration & Development Management.

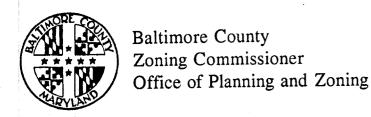
The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made part of hereof, hereby petition for a Special Exception under the Zoning Regulations of Baltimore County, to use the herein described property for

a wireless transmitting and receiving facility pursuant to Section 1A03.3.B.14 and 502 of the Baltimore County Zoning Regulations; and a Special Hearing to amend site plan previously approved in Case No. 96-84-X.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Exception advertising, posting, etc., upon filing this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

			I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.			
Contract Purchaser/Lessee:			Legal Owner(s):			
Bell Atlantic NYNEX Mobile			Cardinal Shehan Center, Inc	C		
(Type or Print Name) By: Munici Thomps II			Sister Lines Mary Battle, Lly.			
Signature Maurice Thompson,	II, Real Estate C	onsultant	Signature	0	•	
9000 Junction Drive			By: Sr. Louis Mary Battle, F	R.S.M., President		
Address			(Type or Print Name)			
Annapolis Junction	MD	20701				
City	State	Zipcode	Signature			
			2300 Dulaney Valley Road		(410) 252-4500	
Attorney for Petitioner:			Address		Phone No.	
Robert A. Hoffman			Towson	MD	21204	
Venable, Baetjer and Howar	rd, LLP		City	State	Zipcode	
(Type or Print Name)	······		Name, Address and phone number of to be contacted.	of legal owner, contract p	urchaser or representati	
MV MALL			Robert A. Hoffman Venable, Baetjer and Howa	rd, LLP		
Signature			Name			
210 Allegheny Ave.		(410) 494-6200	210 Allegheny Ave, Towson	, MD 21204	(410) 494-6200	
Address		Phone No	Address		Phone No.	
Towson	MD	21204	Of	FICE USE ONLY		
City	State	Zipcode	ESTIMATED LENGTH OF HEARIN	G		
Deno De	:E	Adminis	unavailable for Hearing the following	g dates		
DRUIT C		Valities Administrating	Next Two Months ALL	OTHER		
DROP. OF	EW	co #	REVIEWED BY:	DATE		
14/		Trionment Manage				
	9	Chment Manag				



Suite 112, Courthouse 400 Washington Avenue Towson, Maryland 21204 (410) 887-4386

February 25, 1997

Robert A. Hoffman, Esquire Timmy Ruppersberger, Esquire Venable, Baetjer and Howard 210 Allegheny Avenue Towson Maryland 21204

RE: Case No. 97-271-SPHX

Petitions for Special Hearing & Special Exception

Location: 2300 Dulaney Valley Road

Bell Atlantic Nynex Mobile/Cardinal Shehan Center, Petitioners

## Gentlemen:

Enclosed please find the decision rendered in the above captioned case. The Petitions for Special Hearing & Special Exception have been granted with restriction.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.

Messrs. Maurice Thompson II and Kent Lutz 9000 Junction Drive Annapolis Junction, Maryland 20701

### BALTIMORE COUNTY, MARYLAND

# INTER-OFFICE CORRESPONDENCE

DATE:

January 29, 1997

TO:

Arnold Jablon, Director

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT: Petitions from Zoning Advisory Committee

Eary L. Klins

The Office of Planning has no comments on the following petition(s):

Item Nos.

287, 289, 290, 293, and 294

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

PK/JL

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

February 7, 1997

Robert A. Hoffman, Esquire 210 Allegheny Avenue Towson, MD 21204

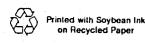
RE: Drop-Off Petition Review (Item #271)
Cardinal Shehan Center, Inc.
2300 Dulaney Valley Road
8th Election District

Dear Mr. Hoffman:

At the request of the attorney/petitioner, the above referenced petition was accepted for filing without a final filing review by the staff. The plan was accepted with the understanding that all zoning issues/filing requirements would be addressed. A subsequent review by the staff has revealed unaddressed zoning issues and/or incomplete information. The following comments are advisory and do not necessarily identify all details and inherent technical zoning requirements necessary for a complete application. As with all petitions/plans filed in this office, it is the final responsibility of the petitioner to make a proper application, address any zoning conflicts and, if necessary, to file revised petition materials. All revisions (including those required by the hearing officer) must be accompanied by a check made out to Baltimore County, Maryland for the \$100.00 revision fee.

- 1. The vicinity map is not at the 1"=1,000' scale shown on the plan and is not legible for road location or site outline.
- 2. The 40-acre site area as described is far in excess of the minimum 5-acre lot area required under Section 502.7. Also the 40 acres must be outlined on a copy or copies of the 1" =200' scale zoning map with a P.O.B. clearly shown or, for the sake of simplicity, staff suggests limiting the special exception area to 5-6 acres. Plan note #22 puts to question the accuracy of the information under the engineers seal and is not acceptable on a zoning hearing site plan.
- 3. Several calls on the zoning description do not match the bearings and distances shown on the plan. The description must agree with the special exception site plan area, metes and bounds.





Robert A. Hoffman, Esquire February 7, 1997 Page 2

- 4. State the height of the building and the maximum height of the WTRS on same.
- 5. An environmental impact statement is required per Section 502.7.C.10.

If you need further information or have any questions, please do not hesitate to contact me at 887-3391.

Very truly yours,

John L. Lewis

Planner II Zoning Review

JLL:scj

Enclosure (receipt)

c: Zoning Commissioner

